

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the  
Eastern District of Texas

Advanced Processor Technologies LLC

*Plaintiff*

v.

NVIDIA Corporation

*Defendant*

Civil Action No. 2:12-cv-157

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* NVIDIA Corporation  
2701 San Tomas Expressway  
Santa Clara, California 95050

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

William Ellsworth Davis, III  
The Davis Firm, PC  
111 West Tyler Street  
Longview, Texas 75601

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date:

3/30/12



CLERK OF COURT

*David Malone*

Signature of Clerk or Deputy Clerk

Civil Action No. 2:12-cv-157

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* NVIDIA Corporation  
 was received by me on *(date)* 04/02/2012

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☒ Other *(specify)*: Service executed by delivering to NVIDIA Corporation, 2701 San Tomas Expressway,  
 Santa Clara, CA 95050 by certified mail # 7008 1830 0003 9416 7830. See form 3811  
 signed on 04/05/2012.

My fees are \$ \_\_\_\_\_ for travel and \$ 40.00 for services, for a total of \$ 40.00

I declare under penalty of perjury that this information is true.

Date: 04/10/2012

  
 \_\_\_\_\_  
*Server's signature*

Todd L. Parish Process Server  
*Printed name and title*

606 W. Tyler Street, Ste. C  
Gilmer, TX 75644

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>Nancy Sloan 4/5/2012</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>	
<p>1. Article Addressed to:</p> <p>NVIDIA Corporation 2701 San Tomas Expressway Santa Clara, California 95050</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
		<p>7008 1830 0003 9416 7830</p>	
PS Form 3811, February 2004		Domestic Return Receipt 102595-02-M-1540	